

SEP 02 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

RITA I. JOHNSON,

Defendant - Appellant.

No. 07-35234

D.C. No. CV-05-05798-RBL

ORDER *

Appeal from the United States District Court
for the Western District of Washington
Ronald B. Leighton, District Judge, Presiding

Argued and Submitted August 8, 2008
Seattle, Washington

Before: PREGERSON, HALL, and NOONAN, Circuit Judges.

The court has received notification that appellant is deceased. Therefore,
this case is dismissed as moot.

Appellee's motion to dismiss the appeal as moot is denied as moot.

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

